

17 exemption or credit for dependents, changes during the taxable year,
18 the personal exemption and credit shall be apportioned under rules
19 and regulations prescribed by the commission.”.

1 SEC. 3. Amend section four hundred twenty-two point thirteen
2 (422.13), Code 1950, by striking subsections one (1) and two (2)
3 thereof, and inserting in lieu thereof the following:

4 “1. Every individual having a net income for the tax year from
5 sources taxable under this division, of \$1500.00 or over, if single, or
6 if married and not living with husband or wife; or having a net in-
7 come for the tax year of \$2350.00 or over, if married and living with
8 husband or wife, shall make and sign a return, stating specifically
9 the items of gross income and the deductions and exemptions allowed
10 by this division.

11 2. If husband and wife living together have an aggregate net in-
12 come of \$2,000.00 or over, each shall make such a return, unless the
13 income of each is included in a single joint return.”.

Approved May 21, 1953.

CHAPTER 205

INCOME TAX DEDUCTIONS

H. F. 161

AN ACT to amend section four hundred twenty-two point twelve (422.12), Code 1950, relating to deductions from computed individual income tax as to the marital condition and dependencies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point twelve
2 (422.12), Code 1950, is hereby amended by striking from lines nineteen
3 (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three
4 (23), and twenty-four (24) the following: “If the status of a tax-
5 payer, insofar as it affects the personal exemption or credit for de-
6 pendents, changes during the taxable year, the personal exemption and
7 credit shall be apportioned under rules and regulations prescribed by
8 the commission.”, and inserting in lieu thereof the following:

9 “For the purpose of this section the determination of whether an
10 individual is married shall be made as of the close of his taxable year
11 unless his spouse dies during his taxable year, in which case such
12 determination shall be made as to the date of such death. An individual
13 legally separated from his spouse under a decree of divorce or under
14 separate maintenance shall not be considered as married.

15 “As used in this chapter the term ‘dependent’ means any of the fol-
16 lowing persons over half of whose support, for the calendar year in
17 which the taxable year of the taxpayer begins, was received from the
18 taxpayer:

- 19 a. a son or daughter of the taxpayer, or a descendant of either,
- 20 b. a stepson or stepdaughter of the taxpayer,
- 21 c. a brother, sister, stepbrother, or stepsister of the taxpayer,
- 22 d. the father or mother of the taxpayer, or an ancestor of either,
- 23 e. a stepfather or stepmother of the taxpayer,

24 f. a son or daughter of a brother or sister of the taxpayer,
 25 g. a brother or sister of the father or mother of the taxpayer,
 26 h. a son-in-law, daughter-in-law, father-in-law, mother-in-law,
 27 brother-in-law, or sister-in-law of the taxpayer. As used in this para-
 28 graph the terms 'brother' and 'sister' include a brother or sister by the
 29 half blood. For the purposes of determining whether any of the fore-
 30 going relationships exist, a legally adopted child of a person shall be
 31 considered a child of such person by blood. The term 'dependent' does
 32 not include any individual who is a citizen or subject of a foreign
 33 country unless such individual is a resident of the United States or
 34 of a country contiguous to the United States.

35 "If the taxpayer would not occupy the status of head of a family
 36 except by reason of there being one or more dependents for whom
 37 he would be entitled to credit under this section, credit for dependents
 38 shall be disallowed with respect to one of such dependents.

39 "If the status of a taxpayer changes during the year because of the
 40 death of a dependent reported by him or if a child of the taxpayer
 41 reported by him is born or dies during the year, the full dependent
 42 claim shall be allowed with respect to such child or deceased child.

43 "The provisions of this Act shall be effective as to returns made upon
 44 income earned during the calendar year 1953, or as to any return made
 45 for a fiscal year beginning after January 1, 1953."

Approved April 29, 1953.

CHAPTER 206

SALES AND USE TAX

H. F. 44

AN ACT relating to the payment of sales and use tax by tax certifying and tax levying bodies and to amend and repeal certain sections of chapter four hundred twenty-two (422) and chapter four hundred twenty-three (423), Code 1950, relating thereto and enact substitutes therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred twenty-two point forty-seven
 2 (422.47), Code 1950, is amended by striking therefrom all of sub-
 3 sections four (4) to seven (7) inclusive.

1 SEC. 2. Section four hundred twenty-two point forty-five (422.45),
 2 Code 1950, is amended by repealing subsection three (3) and by add-
 3 ing the following new subsections:

4 "5. The gross receipts of all sales of goods, wares or merchandise
 5 used for public purposes to any tax certifying or tax levying body of
 6 the State of Iowa or governmental subdivision thereof, except sales
 7 of goods, wares or merchandise used by or in connection with the
 8 operation of any municipally-owned public utility engaged in selling
 9 gas, electricity, or heat to the general public.

10 "The exemption provided by this subsection shall also apply to all
 11 sales of goods, wares or merchandise used for public purposes to any
 12 tax certifying or tax levying body of the State of Iowa or govern-